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# Country Ministers REASONS

For Taking the

OATHS of ALLEGIANCE

TO

**K. William & Q. Mary.**

In a Letter to one under Suspension, for refusing them.

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Licenc'd, November 3. 1689. J. F.

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EDWARD T. A. BENTON  
OF

JOHN D. MANNING, JR.



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A Country Minister's Reasons for taking  
the Oaths of Allegiance to K. *William*  
and Q. *Mary*; in a Letter to one under  
Suspension, for refusing them.

**S**Hall I beg of you ( My Dear Brother ) to receive these lines with the same affection and candour with which they are wrote, and to believe that I have no other design in communicating my thoughts upon this Subject to you, than to do service to you and the Church, and by endeavouring to convince you of your error in refusing the new Oaths, to prevent the fatal consequences to both, which will attend your Obstinate persisting in that Refusal. And then I shall hope that through the blessing of God, tho they come too late for your Suspension, they may be soon enough to hinder your Deprivation: Which good effects, if they shall have upon you, I shall not censure you for having submitted to a Suspension; for I shall not be so unjust as to think you were moved thereto by a pitiſul Cowardice, or more wretched Laziness, as if you either stay'd to see the success of their Majesties Arms, before you Embark'd in their Cause, or were glad of a pretence for six Months neglecting the Duties of your calling; but shall rather Charitably hope that you waited till the last necessity forced you to take the Oaths, to try, if happily in that time, providence might either remove some barrs out of the way, or convince you of the unreasonableness of some scruples, which as yet hinder'd your doing it with that full assurance and perswasion of mind which you desired.

There are several arguments and various Methods, by which  
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those Reverend Persons that have taken the Oaths, do justify their practice therein; but this, however it be by some made an objection against the Lawfulness of them, will not I hope pass with you for a reasonable one, unless you can believe a proposition to be ever the less true because it is confirm'd by twenty several good Mediums.

As to the particular Method I have here made use of, I shall only tell you thus much, that being I was to have to do and argue with my self, I resolv'd to lay the state of the Question so low as to have no dispute with my self about that, and accordingly have suppos'd their Majesties to have no other Title to the Throne but possession; but I would not have this Method of mine look'd upon as designed to thwart theirs who assert their Majesties Right to the Crown, as the ground of their Swearing Allegiance to them, but rather as a further inforcement thereof, for if my Arguments, which proceed upon supposition of a bare possession only, do prove of validity to justify the taking these Oaths to them; theirs which are drawn from an Establish'd right will conclude a *Fortiori*. The reasons that prevail'd with me, be pleas'd to take in the same Method, that I lay'd them before my self.

And here first I freely confess to you, that when it was discour'd beforehand, that there were new Oaths design'd to be exacted from their Majesties Subjects, and during the Debates concerning that matter in Parliament, I did heartily wish that a general imposition of them, especially upon the Clergy, might not have been consented to: Not but that I thought it highly reasonable that their Majesties, having Sworn to protect and Govern us according to Law, should receive from us a satisfactory assurance, of a just return of fidelity and obedience to them; but I was sadly apprehensive that those ill consequences, which a little sagacity might easily discern, would, through the weakness of some, the scrupulosity of others being improved and abused, by the serpentine policy of a third sort; almost necessarily attend this Method of giving their Majesties Security, would be such, as could not be compensated by the  
good

good effects it could have upon any sort : For, as for those that were well affected to the present Government , and thought it such as they ought to submit, and give Obedience to, they did not want to be tyed to it by such obligations : And for those who looked upon it as an Usurpation, which they could not in Conscience be faithful to, they would either refuse these Oaths, and so there would be an open Schism and Division among us : (*Hoc Itacus velit*) Or else if they did take them, it cannot be imagined they could be bound by them, for they that will make no Conscience to take an Oath, which they Judge Unlawful, will make as little when occasion serves to break it.

But all this notwithstanding, when once the wisdom of the Nation had resolved that these Oaths should be imposed ; and by the Concurrence of the Royal assent it was Enacted into a Law , I then thought it my duty no longer to oppose my private Sentiments to their determination, but rather sincerely to inquire how far I might honestly and safely conform my practice to them.

And in this disquisition I was obliged to use the most serious and unbyassed application to find out the Truth, by reason of those dismal consequences which would be the effects of a mistaken practice either way : For if these Oaths were unlawful, and contrary to others that I had formerly taken, if I should swallow them, I should expose my self to the dreadful guilt of Perjury, to the hatred of God and delastation of good Men : On the other side, if they proved to be Lawful and not to thwart any former obligations ; if I should refuse them I should make my self lyable to the Penalties and Sanctions, which that Law that requires them, is forfeited with : Not only to a deprivation from that comfortable subsistence, which providence has mercifully allotted me to maintain and make provision for my Family with ; (and he that without great and weighty Reasons, wilfully puts himself out of a Capacity so to do, I think falls under a severe censure of the Apostles : And I do also look upon the blessings and comforts of this Life, to be Talents which God has entrusted us with, and we must be responsible



sponsible to him for, and such as ( tho when they stand in Competition with him and my duty, I must hate, in our Saviours Language, and willingly bid adieu to yet) if when no necessity so requiring, I sacrifice to a humour, and wilfully divest my self of, I shall suffer as a Fool, my glorying will be in vain, and the best reward I can expect: *Quis requirit ?* ) But also which is of greater consideration, by my refusal I should be deprived of the opportunity of doing God service in the station he had placed me in, I should desert my Flock, and expose it for ought I know to the guidance of a Wolf in Sheeps Clothing, I should make a Schism in the Church, and a Faction in the State; I should be guilty of interpretatively calling good evil and evil good, I should lay a stumbling-block in my weak Brothers way, and should intitle my self to the woes that belong to those that are guilty of such offences.

I therefore resolved with the greatest dilligence and impartiality, to search for the best light and directions I could meet with, to conduct my practice in this weighty affair. And next after my application to the Father of Lights and great Judge of all our actions, I thought his Vicegerent whom he has substituted as the next Censurer of our practices under him, Conscience I mean, was that which I ought to have recourse to; and according as that, after the best information had that I could meet with, should direct, so look'd upon my self obliged to practice, if to her it appeared that the Oaths were Lawful, readily and chearfully to take them, if unlawful quietly to submit to the punishment of my refusal; and whether one or the other, not to censure those that were otherwise minded, nor reflect upon such as should act differently from me, but to follow the advice of St. Paul, that *he that eateth should not despise him that eateth not, nor he that eateth not, judge him that eateth.*

And now having constituted Conscience my Judge in this matter; my next business was to enquire what measures Conscience ought to govern and guide herself by in this Disquisition: For Conscience is not that Arbitrary thing that some take her to be; that passes sentence meerly *Pro arbitrio*, and Condemns

or acquits without regard to that which is the proper measure of those actions which fall under her cognizance : And for want of due advertency to this many have run into very dangerous mistakes ; and Fancy, and Humour, and Prejudice, and Spleen, and Advantage, and Profit, and Stubbornness, and what not, have been set up for Conscience. And in this particular case, interest might have perswaded me to take the Oaths, and that might have past for Conscience, on the other side pique or prejudice, fondness of, or unwillingness to retract, or act contrary to a former, violently asserted, and unreasonably stretch'd Opinion, groundless scruples, arising from the contrary practice of some good Men, or such like might have prevailed upon me to refuse them, and they might have gone for Conscience: And all through not attending to those measures, which Conscience (which is nothing else but an act of the practical understanding, passing sentence upon the Lawfulness, or unlawfulness of an action done, or to be done) ought in giving judgment thereupon to proceed by. And those measures are no other than the proper rules of those actions which come under tryal, according to the conformity or contrariety of which actions to those rules they become either lawful or unlawful. Now Conscience it self must not pretend to be the rule, she is the director of my actions before they are done, and the censurer of them afterward, but sure no more the rule of them, than a Judge upon Bench is the Law : I was therefore to look further for the rule of them.

In general I took it to be most certain, that the Law of God is so far the rule of all actions that no action contrary thereto can be Lawful: But then there being several actions to be performed by me, as I may be considered in several capacities and relations, which the Law of God has made no particular provision for, in such cases it seemed reasonable to me that the Laws which concern'd me in those relations, provided they were not repugnant to the Laws of God but in subordination to them, should be the rule of those actions, which Conscience in her judgment of them ought to govern her self by: And this I was the more confirmed in, when I happily found the great  
 Doctor

Doctor *Hammond*, giving much the same account of Conscience in his Treatise upon that Subject.

This then of taking the Oaths being a civil action, enjoyed me as a Member of this community, and subject of this Government, I had only these two things to search into, for the information of my Conscience in this particular.

1. What the Laws of the Government I am a Subject of, injoin in this Case, and

2. Whether those Laws are not repugnant to some superiour Law of God.

1. Touching the former of which inquiries, my studies having been directed another way, I thought it necessary to apply my self to those whose business it was to study and search into the Laws; and these with one Mouth told me, that by the Constitution of our Government, a King *de facto* that was in possession but had no right to the Throne, (and such at least I could not deny their present Majesties to be) was such as against whom Treason might be committed, even whilst the King *de Jure*, the rightful King was living, but out of Possession. That Treason could not be committed against the Rightful King out of Possession; That if ever the Rightful King returned, he might Punish Treason committed against the King *de facto*. That an Indictment for Treason against a King *de facto*, should run *contra naturalem Allegiantiam*, &c.

And that they might not be suspected to be influenced by Interest, fear of danger, or hope of advantage from the present Government, they shewed me that this was not only their opinion but of former Lawyers, who lived too long since to have had any prospect of this Revolution, or hopes of gaining by writing in favour of it; particularly of the great Lord *Cooke*, than whom we have not had a Commentator of greater Authority, or whose *Aurès* *Épi* would have gone further in Point of Law. It appearing to me then from hence that Allegiance was due to a King *de facto* (for otherwise how could Treason committed against him be said to be *contra Allegiantiam*) I could make no scruple of promising, or when called to it, Swearing to pay that



that Allegiance to him, provided those Laws which have made an Allegiance due to him are not repugnant to some superiour Law of God, and that was the next thing I was to inquire into.

2. And as to this the result of my enquiry was, that God Almighty had appointed Government in general, and by his Laws required Obedience and subjection from the Governed to their Governours, and most especially had enhanced the obligation of Obedience from Subjects to their Rulers, in the last discovery of his will which he made in the Gospel. But to what sort of Government, or what Governours, or in what particular instances we ought to be subject, He has not as I can find declared. More plainly, He has no where told us whether we should be Governed by one Man or more, whether the Person vested with the Government should Rule Arbitrarily; *Stat pro ratione voluntas*: Or whether he should be tyed and bound by Laws; whether the Government should be Successive or Elective, descend by Lineal Succession in one Family, or whether others should have their turns, whether the Person entrusted with the Government should enjoy it *pro termino vitæ*, or be Chosen Annually, or after a certain space of years, or when his Government shall determine so as the subjects shall be free from their Subjection to him; in these and many other such instances, in the Law of God there is *altum Silentium* and nothing determined: The Wisdom of God foreseeing that no one particular form, or method of Government would agree with all sorts of Ages, Persons and Places, has left the decision of such particulars to the Laws and Statutes of the several Nations and Kingdoms: From whence it follows that the Laws of Kingdoms, determining these particulars, which the Laws of God take no Cognizance of; cannot be said to be repugnant to any Law of God: And consequently the Laws of our Nation deciding that the Government of one King determines when he is out, and another has got Possession of it; so far that the Allegiance which was owing to the former, shall be transferr'd to him in Possession, are not repugnant to any superiour Law of God.

And then the Laws of the Land, if not repugnant to the

Laws of God, being the measures which Conscience ought to govern herself by, in her Judgment of those actions, which I am to perform, as a Member of this Nation; and this of taking the Oaths being an action of that kind, I could not upon the whole matter but conclude, not only that I might with a good Conscience take the Oaths of Allegiance to King *William* and Queen *Mary*; but that I could not with a good Conscience refuse them.

Nor could I apprehend that my former Oath to King *James*, could give me any just scruple in this matter: For my Oath to him was not to his Person separate from his Office, but vested with it (for otherwise in case of a spontaneous resignation, I could not have been absolved from my Oath) when therefore these two are Legally separated, the obligation of that Oath ceaseth. Now our Laws, (whose business I observed before it is to determine whether Death only, or a certain term of years, or whatever else should put an end to the Office of a King, so that the Subject should be free from his obligation to him) having declared that a Kings being out of Possession, and his Throne being filled by another, does so far put an end to his Office, that during the time, that he is out of Possession and another in, he is in Legal Construction, and as to all Allegiance that his Subjects owe him as Dead, as if he were naturally so: All objection upon account of my former Oath easily vanished.

And as little did I stumble (tho I confess very much surpris'd) at what some do mightily insist upon, as a bar to taking these Oaths, the Doctrine of Passive Obedience as profess'd and taught in our Church: Particularly I was sorry to find it urged in the last Declaration of the late Lord Bishop of *Chichester*, as the ground of his refusing the Oaths; a Declaration which (if it were his) being made at a time when his Distemper and near approaching Death, may well be supposed to have clouded his faculties and parts, is supported with such Inconclusive reasons, and could serve to no good end or purpose in the World, that out of respect to the Memory of that Worthy and Pious Prelate,

I cannot forbear wishing that the Editor had committed it to the Flames rather than the Press: For supposing the Doctrine of Passive Obedience to be the Doctrine of our Church, as I verily believe it is, and a very good Doctrine when truly stated; I doubt not, but for all the Lawful Commands of my Prince, Lawful, I mean, for him; such as he is impowered to command by that which is the measure of his Authority, I must either actually perform them, or quickly submit to the punishment of my non-performance: But what is this to the point of the new Oaths, or how can I owe or pay this Obedience to King *James* who is out of Place to Command, and out of Power to Punish? Passive Obedience is not a suffering for my King, but by my King, or by his Officers Commissioned under him; and therefore 'tis absurd to talk of Passive Obedience to one that is out of Possession, for it cannot be paid to, or Exercised under any but him that is possesse of the Power. All therefore, as far as I could see, that Passive Obedience had to do in this Case, was to oblige me, if upon other good grounds I had been perswaded of the unlawfulness of the Oaths, submissively to have born the punishment of my refusal, without disturbing the Government, or censuring those that complied with it.

*Your very Affect. &c.*

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*FINIS.*

